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REMARKS

Originally filed claims 1, 6, 9, 12 and 17 as amended for form in a manner proper under PTO after-final procedures, are the only active claims pending in this application. Claims 2-5, 7-8, 10, 11, 13-16, 18 and 19 are canceled. The foregoing separate sheets marked as "Listing of Claims" shows all the claims in the application, each with an indication at its first line showing the claim's current status.

For purposes of expediting the instant application, Applicants have amended claim 1 to include all limitations of its dependent claims 2 and 3; have amended claim 6 above to include all limitations of its dependent claim 7, have amended claim 9 to include all limitations of its dependent claim 10, have amended claim 12 to include all limitations of its dependent claim 14, and have amended claim 17 to include all limitations of its dependent claim 18.

Applicants respectfully submit that claims 1, 6, 9, 12 and 17 of this application are clearly patentable over the cited prior art.

The Final Office Action rejects the examined claim 1 under 35 U.S.C. § 102(e) as anticipated by U.S. Patent No. 6,394,341 ("Mäkipää"). Office Action at page 3. The Office Action states that the rejection repeats the rejection set forth in "a prior Office Action." Office Action at page 2. Applicants therefore respond to the May 19, 2006 Office Action ("5/5/06 Office Action"), which is the only prior Office Action on the merits of this applications' claims.

Applicants' Claim 1 recites

a service provider connected to said network for providing said user terminal with household account information including a plurality of items for each user,

wherein said service provider adds additional information to predetermined items in the household account information of each user and provides to said user terminal, wherein the additional information is based on the analysis results regarding said household account information

Claim 1, currently amended, at lines 4-10.

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The 5/19/06 Office Action cites Mäkipää at column 6, line 47, through column 7, line 6, and at column 11, line 60, through column 12, line 16 as disclosing the above-identified limitations of claim 1. 5/19/06 Office Action, at page 3.

Applicants respectfully respond that the Office Action, and the 5/19/06 Office Action materially misread and/or misinterpret the Mäkipää reference, and that the Office Actions rely on Mäkipää as disclosing subject matter that, in fact, is not found in the reference, either explicitly or under the doctrine of inherency.

With all due respect, Mäkipää, to the extent it can be understood, teaches a system and method that purports to process transactions. Mäkipää discloses nothing of a service provider having access to a user's account. Applicants respectfully submit that Mäkipää disclosure of access to, providing services based on, monitoring, and analyzing transactions is simply not within the broadest reasonable meaning of Applicants' claims' "household accounts."

Applicants respectfully submit that reading Mäkipää in its entirety shows no support found in that reference, or in any other cited reference, for any assertion that Mäkipää teaches, or inherently or explicitly, acts or structure meeting, or capable of performing acts within the broadest reasonable meaning of the claim 1 "household account" limitations.

Applicants respectfully submit that the cited passages of Mäkipää teach only that a service provider analyzes transactions, makes a history of, and makes a profile of a user's transactions. The only teaching found in Mäkipää regarding a user account is "whether the information relating to the accepted transaction is associated with the" user's financial institution. Mäkipää at column 6, lines 40-46. In other words, to the extent Mäkipää can be understood discloses that if, for example, an ATM-type debit were submitted by a user, the user's bank (financial institution) would provide information as to whether or not the user's submitted account number was, in fact, associated with that user. Applicants respectfully submit that this Mäkipää disclosure cannot be reasonably argued being within the broadest reasonable meaning of Applicants' claims' "household account" limitations.

Applicants respectfully submit that, properly applying the doctrine of inherency to Mäkipää, the only conclusion supported by that reference is that it lacks

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inherent disclosure of the claim 1 "service provider ... household account" limitations. Under the doctrine of inherency, a reference inherently discloses a limitation if, and only if, the reference must, with certainty, include structure or perform acts meeting the limitation, in order to operate in the manner it describes.

Applicants respectfully submit that there is no supportable, reasonable argument that Mäkipää must, with certainty, have the claim 1 "service provider ... household account" limitations in order to operate in the manner Mäkipää describes.

Applicants have amended claim 1 to include the limitations of its now canceled dependent claims 2 and 3.

Applicants respectfully submit that the Office Action's reliance on the claim language of Mäkipää, to the extent such reliance supports any rejection of the now-canceled claim 3, is in error. A reference can only be relied on for what it discloses. Applicants respectfully request that the Examiner cite authority for the Office Action's statement that Mäkipää claims disclose subject matter within the broadest reasonable meaning of the language. Applicants respectfully submit, for the consideration of the Examiner, that under the procedures governing examination of claims, a species generally discloses a genus, but a genus does not necessarily disclose all species.

The Final Office Action rejects the examined claim 6 under 35 U.S.C. § 102(e) as anticipated by Mäkipää. Office Action at page 3.

Applicants have amended claim 6 to include the limitations of its now canceled dependent claim 7.

Regarding the "account" limitations of claim 6 contained in the examined claim 6, Applicants respond that Mäkipää lacks these limitations; Mäkipää teaches a system and method that purports to process transactions. Mäkipää discloses nothing of a service provider having access to a user's account. Mäkipää disclosure of access to, providing services based on, monitoring, and analyzing transactions is not reasonably arguable as being within the broadest reasonable meaning of Applicants' claims' "household accounts."

The 5/19/06 Office Action asserts that Mäkipää discloses "an account information updating feature for updating ... bank account information," and that

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Mäkipää discloses a "notification feature ... [for] account information updates. 5/19/06 Office Action at page 4 (citing Mäkipää at column 11, line 60 through column 12, line 16).

Applicants respectfully submit that the 5/19/06 Office Action, and the outstanding Office Action, materially misread and/or misconstrue Mäkipää. The cited passages disclose a notifying function in response to transactions showing the user's buying habits. These cited passages of Mäkipää, and the entirety of Mäkipää, disclose nothing within the broadest reasonable meaning of the claim 6 user's "account information," and "updating the account information."

The Final Office Action rejects the examined claims 9 and 10 under 35 U.S.C. § 103 as obvious over U.S. Patent No. 5,870,724 ("Lawlor"), in view of U.S. Patent No. 5,708,422 ("Blonder"). Office Action at page 3, maintaining the 5/5/06 Office Action at pages 7-8.

Applicants have amended claim 9 to include the limitations of its now canceled dependent claim 10.

Applicants respectfully submit, with due respect, that the 5/19/06 Office Action, and the outstanding Office Action, materially misread and/or misconstrue both Lawlor and Blonder, and/or fail to properly consider limitations of claim 9 and/or its included limitations of its now-canceled dependent claim 10.

Lawlor, to the extent it can be understood, purports to disclose a system for monitoring user bill paying information. Applicants respectfully submit that Lawlor's disclosure of a monitoring, receiving, analyzing, and sending advertisements based on a user's bill paying transactions is not reasonably arguable as a disclosure of such any such acts with respect to a user's account information. See, e.g., Lawlor, at column 13, lines 58-64. Applicants respectfully submit that Lawlor discloses nothing of any acts, or any structure capable of performing anything meeting the claim 9 "account" limitations

Blonder, to the extent it can be understood, purports to disclose system for authorizing transactions, i.e., a fraud detection system. Applicants respectfully submit that Blonder discloses nothing of any acts, or any structure capable of performing anything meeting the claim 9 "account" limitations.

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The Final Office Action rejects the examined claims 18 under 35 U.S.C. § 103 as obvious over Mäkipää in view of Blonder. Office Action at page 3, maintaining the 5/19/06 Office Action at pages 9-10.

Applicants have amended claim 9 to include the limitations of its now canceled dependent claim 10.

Applicants respectfully state that Mäkipää and Blonder, viewed together or singly, disclose nothing within the broadest reasonable meaning of the claim 18 limitations of "account information" for the same reasons of fact stated by Applicants in response to the rejections of Applicants' claims 1 and 9.

Conclusion

In view of the foregoing, Applicants respectfully request that the application be reconsidered, that claims 1, 6, 9, 12 and 17 be allowed, and that the application be passed to issue.

Should the Examiner find the application to be other than in condition for allowance, the Examiner is requested to contact the undersigned at the local telephone number listed below to discuss any other changes deemed necessary in a telephonic or personal interview. Please charge any deficiencies in fees and credit any overpayment of fees to Attorney's Deposit Account No. 50-2041.

Respectfully submitted,



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